

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MITCHELL D. LUMPKINS,)	
)	No. CV-10-00231-CI
Plaintiff,)	
)	
v.)	ORDER GRANTING STIPULATED
)	MOTION TO REMAND PURSUANT TO
MICHAEL J. ASTRUE,)	SENTENCE FOUR OF 42 U.S.C.
Commissioner of Social)	405(g)
Security,)	
)	
Defendant.)	

BEFORE THE COURT is the parties' stipulated Motion to Remand the above-captioned matter to the Commissioner for additional administrative proceedings. (ECF No. 30.) Attorney Maureen J. Rosette represents Plaintiff; Special Assistant United States Attorney Willy M. Le represents Defendant. The parties have consented to proceed before a magistrate judge. (ECF No. 7.) After considering the stipulation of the parties,

IT IS ORDERED:

1. The parties' stipulated Motion to Remand (**ECF No. 30**) is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g), including a de novo hearing and new decision in regard to Plaintiff's applications for disability insurance benefits and supplemental security income payments under Titles I and XVI. On remand, the ALJ shall re-evaluate the opinion of Edward Gruber,

1 ARNP, in accordance with *Social Security Ruling* 06-03p; re-evaluate
2 Plaintiff's residual functional capacity (RFC) and make new RFC
3 findings; and obtain vocational expert testimony at step five to
4 determine whether Plaintiff can perform other work in the national
5 economy.

6 2. Judgment shall be entered for the **PLAINTIFF**.

7 3. Plaintiff's Motion for Summary Judgment (**ECF No. 21**) is
8 stricken as moot.

9 4. An application for attorney fees may be filed by separate
10 motion.

11 The District Court Executive is directed to enter this Order,
12 forward copies to counsel, and thereafter shall close this file.

13 DATED September 16, 2011.

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15 S/ CYNTHIA IMBROGNO
16 UNITED STATES MAGISTRATE JUDGE
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